

EXHIBIT 9

Declaration of Cary Ichter – 02/20/24

***PLAINTIFFS' MOTION FOR SANCTIONS AGAINST DEFENDANTS
CCBOER AND COUNSEL***

CGG, et al. v. Coffee Cty. Bd. of Elections and Registration
United States District Court for the Southern District of Georgia
No: 5:23-mc-00001-LGW-BWC

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

COALITION FOR GOOD
GOVERNANCE and DONNA
CURLING,

Plaintiffs,

v.

COFFEE COUNTY BOARD OF
ELECTIONS AND REGISTRATION,

Defendant.

Civil Action No. 5:23-mc-00001-
LGW-BWC

In RE Subpoenas issued by the
United States District Court
For the Northern District of
Georgia, Atlanta Division,
Civil Action File No. 1:17-CV-
2989-AT

DECLARATION OF CARY ICHTER

Pursuant to 28 U.S.C. §174, I certify under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. My name is Cary Ichter. I am a managing member of Ichter Davis, LLC (the “Firm”) and a member in good standing with the State Bar of Georgia. I offer this Declaration on my personal knowledge to provide the Court in this matter with information concerning services provided, costs advanced, and the value of the service provided to Plaintiff Coalition for Good Governance (“CGG”) in the above-captioned action.

2. I graduated *magna cum laude* from the University of Georgia School of law in 1984. I was admitted to the State Bar of Georgia the same year. I have practiced law in Georgia full-time and continuously since then.

3. Following CCBOER's production of a 311 page privilege log on January 4, 2024, various members of CGG who were not absorbed in matters related to the upcoming trial of the *Curling* case performed an audit-like review of entries on the log. On January 8, 2024, I sent an Excel spreadsheet to CCBOER's counsel, Ben Perkins, explaining that the spreadsheet identified [from the new log] "80-something documents we have identified as plainly non-privileged." A true and correct copy of the January 4 email and the Excel spreadsheet are attached hereto as **Exhibits "A" and "B,"** respectively.

4. I then went on to identify certain specific documents that I was seeking the immediate production of and concluded: "These twenty-something examples of non-privileged communications are illustrative of the communications on the attached spread sheet. Please turn over these documents immediately. Please let me know your intentions by January 9, 2024 (the first day of trial)...." See Exhibit A, at p. 3.

5. With respect to the emails identified in my January 8, 2024 email, it appears the claim of privilege was withdrawn with respect to each:¹

xREL000104721: Agreed privilege was waived in email dated January 12, 2024 (5:23 pm). *See* Exhibit C, at p. 3.

xREL000104756: Agreed privilege was waived in email dated January 12, 2024 (5:23 pm). *See* Exhibit C, at p. 3.

REL000064575: Produced as attachment to January 9, 2024 email (7:36 pm). *See* Exhibit C, at p. 5.

xREL000064583: Produced as attachment to January 9, 2024 email (7:36 pm). *See* Exhibit C, at p. 5.

xREL000062038: Agreed the document was not privileged and produced as attachment to January 9, 2024 email (7:36 pm). *See* Exhibit C, at p. 5.

xREL0000075151.000.3—001.0 and xREL00000119591.000.3—001.0: Mr. Perkins “agree[d] this email thread and its attachments are not privileged...[and committed to retrieve these documents as soon as possible and provide them to you” in email dated January 9, 2024 (7:36 pm) and produced said documents via sharefile on January 10, 2024 at 5:21 pm. *See* Exhibit C, at p. 8.

xREL000061231: Mr. Perkins announced this was produced by email dated January 11, 2024 (8:17 pm). *See* Exhibit C, at p. 7.

xREL000074286: Mr. Perkins announced this was produced by email dated January 11, 2024 (8:17 pm). *See* Exhibit C, at pp. 7-8.

¹ A true and correct copy of the exchange of emails between Mr. Perkins and myself in an email chain beginning December 26, 2023 and ending on January 29, 2024, is attached hereto as **Exhibit “C.”**

6. On January 29, 2024, I identified twenty-five (25) documents from the privilege log on which Charles Dial, a IT contractor for coffee County, was included either as an author, a primary recipient, or a copied recipient. When advised that these designations would be challenged, CCBOER's counsel, Mr. Perkins, responded by email dated January 29, 2024, stating that CCBOER did not "believe we would have had a reason to reevaluate the privilege assertion as to those documents." *See Exhibit C*, at p. 1.

7. On January 29, 2024, Plaintiffs filed a motion for in camera review of the 25 communications identified in the January 29 exchange of emails. (Doc. 51) In response to the motion for in camera review, CCBOER did not defend the designations and produced all 25 documents on February 9, 2024.

8. Attached hereto as **Exhibit "D"** are billing statements from my Firm to CGG. The billing statements list the tasks performed by myself and other timekeepers in the Firm, the date on which the tasks were performed, the time it took to perform each task, and the billing rate of each timekeeper. The tasks performed by others in the Firm were performed at my direction and under my supervision.

9. The billing records attached hereto show that my Firm has billed CGG **\$77,333.83** for work performed in connection with this action. That does not include time for this motion or related activities.

10. Ichter Davis LLC charged Coalition for Good Governance \$625 and \$225 per hour for work performed in this action by myself and Ms. Jill Connors, my paralegal, respectively. Ms. Connors is a lawyer, but she is not barred in the State of Georgia.

11. In connection with a fee application in *Curling v. Raffensberger*, No. 17-cv-02989-AT (N.D. Ga.), Plaintiffs submitted the Declaration of Robert Remar, a senior partner at Rogers & Hardin, in support of the rate claimed for my work in that case, also \$625. A copy of Mr. Remar's Declaration in the *Curling* case is attached hereto as **Exhibit "D."** In my opinion, the above-described hourly rates are well within the range charged by civil litigation firms for similar work by persons of similar experience and ability. This opinion is based on my experience as a litigator and managing partner of multiple civil litigation firms. My opinion is also based on my knowledge of what friends and colleagues in the market charge.

12. I have reviewed the billing records in this matter for the tasks I performed, as well as the tasks performed by Ms. Connors under my supervision. Based on that review and my personal knowledge of the case, the total number of hours devoted to the various tasks performed and reported in the attached were reasonable, necessary and required.

13. Based on my review of the billing records and my knowledge of the case, the total amount of total fees and expenses incurred in performing the various tasks reported were reasonable, necessary, and required.

I certify under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct.

Dated: February 20, 2024

/s/ Cary Ichter

Cary Ichter, Esq.
Georgia Bar No. 382515

Declaration of Cary Ichter

EXHIBIT A

01/08/24 Email Chain

Subject: FW: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Attachments: 1.4.24 Not Priv. .xlsx

From: Cary Ichter
Sent: Monday, January 8, 2024 1:17 PM
To: Ben Perkins <bperkins@olivermaner.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucebrownlaw.com> <bbrown@brucebrownlaw.com>
Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>
Subject: RE: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Ben: We have been reviewing the privilege log you provided. It has been quite an undertaking. Who would have thought that a 17-item, three and one-half page privilege log could morph into a 311-page document? Rather shocking to say the least.

I do not know if you actually looked at the log before producing it. If you did, I am sure you know that there are many, many documents listed that do not indicate the slightest indicia (based upon the description provided) of any privilege whatsoever. I have attached hereto for your review and information an Excel spreadsheet of 80-something documents we have identified as plainly non-privileged. Mind you, we are just getting started in our review. So, these are not all the documents we will be asking you to produce. Also, given that the trial starts on Tuesday, we ask that you produce these documents *immediately*.

Starting at the top, xREL000104721: Although CCBOER claim AC privilege, there is no attorney identified in connection with this document. The document appears to be a communication between non-clients. To the extent it reveals the content of an AC communication, the privilege has been waived. Please produce the document and all others like it.

xREL000104756: CCBOER claim AC privilege involving the same sender and recipient as the previous document, but this one has a HBS lawyer copied. Supposedly, this is privileged because the communication provides advice to a client re an ORR. The description is too vague to allow us to assess the claim; more information is required (what ORR request; what is the general nature of the issue addressed, etc.). More importantly, the lawyer here is merely a CC recipient. I do not know how a CC recipient seeks or offers legal advice, which is required for the privilege to attach. Please produce the document and all others like it or provide a more detailed description.

xREL000064575: CCBOER claim AC privilege involving Charles Dial, not a client of HBS to our knowledge (and if he were, CCBOER's receipt of AC communications to or from him would

be a waiver), and Tracie Vickers with Coffee County government, with a HBS lawyer copied. Supposedly, this is privileged because the communication provides advice to a client re an ORR. As with all similar or identical descriptions, the information provided is too vague to allow us to assess the claim. More importantly, the lawyer here is merely a CC recipient. And, as with the immediately preceding document, I do not know how a CC recipient seeks or offers legal advice. Please produce the document and all others like it.

xREL000064583: CCBOER claim AC privilege from Tracie Vickers to Charles Dial, not a client of HBS to our knowledge (and if he were, CCBOER's receipt of AC communications to or from him would be a waiver). Here there is no HBS lawyer copied, and there is no hint of any lawyer offering or any client seeking legal advice. Typically, privileged communications involve an actual lawyer. Again, this communication involves legal advice regarding an ORR, but no lawyer is involved. Additionally, the description is too vague to allow us to assess the claim. Please produce the document and all others like it.

xREL000064575: CCBOER claim AC privilege involving Charles Dial, not a client of HBS to our knowledge (and if he were, CCBOER's receipt of AC communications to or from him would be a waiver), and Tracie Vickers with Coffee County government, with a HBS lawyer copied. Supposedly, this is privileged because the communication provides advice to a client re an ORR. The description is too vague to allow us to assess the claim. More importantly, the lawyer here is merely a CC recipient. And, as with the immediately preceding document, I do not know how a CC recipient seeks or offers legal advice. Please produce the document and all others like it.

xREL000064583: CCBOER claim AC privilege involving Ms. Herzog, a HBS lawyer, and J. Eric Rich with the U. S. Department of Justice, with Tracie Vickers and James Barnes copied. Purportedly, this is privileged because the communication provides advice to a client re an ORR. The description is too vague to allow us to assess the claim. More importantly, the primary addressee is a non-client. If Ms. Herzog was in fact providing advice to Ms. Vicker and Mr. Barnes in connection with this communication, the privilege was waived by including Mr. Rich in the communication. Please produce the document and all others like it.

xREL000061231: CCBOER claim AC privilege involving Elisa Gillis of Georgia Superior Court Clerks' Cooperative Authority (GSCCCA) and Ms. Herzog. Purportedly, this is communication is privileged because the communication provides advice to a client re an ORR. The description is too vague to allow us to assess the claim. More importantly, as far as we are aware, GSCCCA is not a HBS client, and even if it were, the fact that someone shared the communication between HBS and GSCCCA with CCBOER waived the privilege. Please produce the document and all others like it.

xREL000074286: CCBOER claim AC privilege involving Tracie Vickers as sender and Charles Dial as recipient, neither of whom is an attorney. Purportedly, this is communication is privileged because the communication provides advice to a client re an ORR. Of course, if no

attorney is involved in the communication, no AC privilege can apply. Also, the description is too vague to allow us to assess the claim. Please produce the document and all others like it.

xREL0000075151.000.3—001.0 and xREL00000119591.000.3—001.0 This is a series of email exchanges between Lee M. Stoy, with the Georgia AG's office, and Rebecca Ditto of HBS, purportedly regarding advice re an ORR. Of course, HBS is not representing the State of Georgia in connection with this matter or in connection with these communications, and Mr. Stoy is not representing CCBOER. On two of emails, the CCBOER is copied, but being copied on an email is neither offering nor seeking legal advice. In short, no privilege applies to these communications. Please produce the document and all others like it.

These twenty-something examples of non-privileged communications are illustrative of the communications on the attached spread sheet. Please turn over these documents immediately. Please let me know your intentions by January 9, 2024 (the first day of trial), or I will file an emergency motion with the Court and will seek sanctions in connection with the motion.

I await your response.

Sincerely, Cary Ichter

Cary Ichter, Partner
Ichter Davis, LLC
400 Interstate N Pkwy
Suite 860
Atlanta, GA 30339
phone 404.869.5243
fax 404.602.0037
cell 404.769.1353
cichter@IchterDavis.com



From: Ben Perkins <bperkins@olivermaner.com>

Sent: Wednesday, January 3, 2024 6:14 PM

To: Cary Ichter <Cichter@IchterDavis.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucebrownlaw.com> <bbrown@brucebrownlaw.com>

Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>

Subject: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Dear Cary et al.:

Happy New Year!

Attached for service is the itemized privilege log which Judge Cheesbro ordered us to provide on or before January 3, 2024. I do not intend to serve a certificate of service unless you feel one is needed.

At this time, I am not able to consent to your request for an extension of time to file a motion for sanctions.

I hope your trial preparations are going well.

Regards,

Ben Perkins
Oliver Maner LLP
912-238-2515

From: Ben Perkins <bperkins@olivermaner.com>

Sent: Thursday, December 28, 2023 2:06 PM

To: Cary Ichter <Cichter@IchterDavis.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com>

<bbrown@brucepbrownlaw.com>

Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>

Subject: Re: Sanctions Motion Deadline

I'm traveling today but will be in touch as soon as I'm able to speak with co-counsel.

Ben Perkins
Oliver Maner LLP

From: Cary Ichter <Cichter@IchterDavis.com>

Sent: Thursday, December 28, 2023 12:01:09 PM

To: Ben Perkins <bperkins@olivermaner.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com>

<bbrown@brucepbrownlaw.com>

Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>

Subject: RE: Sanctions Motion Deadline

Ben: Any response to this? Cary

Cary Ichter, Partner
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400 Interstate N Pkwy
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Atlanta, GA 30339
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fax 404.602.0037
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cichter@IchterDavis.com



From: Cary Ichter

Sent: Tuesday, December 26, 2023 11:58 AM

To: Ben Perkins <bperkins@olivermaner.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com> <bbrown@brucepbrownlaw.com>

Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>

Subject: Sanctions Motion Deadline

Ben: As you know, the Court has given us 30 days from the date of its December 22, 2023 Order to file any motion for sanction related to the subpoenas served on CCBOER in the Summer of 2022. We would like to move that deadline for two reasons. First, there is no assurance that all privilege log issues will be resolved by that time. If, for example, the revised privilege logs give rise to requests for further production or an *in camera* review, we do not think a 30 day window will afford us sufficient time to address all pertinent issues.

Additionally, we expect that there is a good chance we will still be trying the *Curling* matter on January 22, 2024, and even if we are miraculously finished by January 22, the trial will have likely consumed all of our available bandwidth in early and mid-January.

We would suggest that we be afforded 14 days following the trial to submit motions regarding the privilege log. We would report to the Court when the trial ends. If none are filed, we would be given an additional 14 days to submit any sanctions motion. If any motions are filed, the Court will indicate in any order resolving any such motion when the sanctions motion will be due.

Pls let me know if we can report to the Court that you consent to this proposal. Cary

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cichter@IchterDavis.com



Declaration of Cary Ichter

EXHIBIT B

01/08/24 Email Attachment - 1.4.25 Not Priv. .xlsx

Doc ID	Document Type (# of Messages)	Date	From	To	CC	Privilege Assertion	Privilege Description	Note
	Email (2)	12/14/2020	Wesley Vickers	Ashley Abercrombie (ACCG)		Attorney-Client	Privileged communication between client at the direction of HBS attorney and insurance carrier for the purpose of assessing actual or potential	
xREL0000104721	Email	5/27/2021 15:56	Deb Cox [dcox@lowndescounty.com]	COFFEE JAMES BARNES [james.barnes@coffecounty-]		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000104756	Email	5/28/2021 10:35	Deb Cox [dcox@lowndescounty.com]	'James Barnes' [james.barnes@coffecounty-ga.gov]	Nick Kinsley [Nkinsley@halboothsmith.com]	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000064575	Email	10/27/2021 13:50	Charles Dial [cdial@sgcce-inc.com]	Vickers, Tracie [Tracie.Vickers@coffecounty-ga.gov]	Jennifer Dorminey Herzog [jherzog@halboothsmith.com]; James Barnes	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000064583	Email	10/27/2021 13:50	Vickers, Tracie [Tracie.Vickers@coffecounty-ga.gov]	Charles Dial [cdial@sgcce-inc.com]; Jennifer Dorminey Herzog [jherzog@halboothsmith.com]; James Barnes		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000062038	Email	11/1/2021 14:59	Jennifer Dorminey Herzog [J/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=56B47]	Rich, J. Eric (CRT) [J.Rich@usdoj.gov]	Vickers, Tracie [Tracie.Vickers@coffecounty-ga.gov]; James Barnes [james.barnes@coffecounty-ga.gov]; O'Connor,	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000061231	Email	11/29/2021 17:13	Gillis, Elisa [Elisa.Gillis@gsocca.org]	Jennifer Dorminey Herzog [jherzog@halboothsmith.com]		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000061227	Email	11/29/2021 17:16	Jennifer Dorminey Herzog [J/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP]	Gillis, Elisa [Elisa.Gillis@gsocca.org]		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000074286	Email	3/1/2022 16:15	Vickers, Tracie [Tracie.Vickers@coffecounty-ga.gov]	Charles Dial [cdial@sgcce-inc.com]; Jennifer Dorminey Herzog		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000075151.000 3	Email	3/9/2022 14:43	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@halboothsmith.com]		Not Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000075151.000 4	Email	3/9/2022 14:43	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@halboothsmith.com]		Not Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000075151.000 5	Email	3/9/2022 14:43	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@halboothsmith.com]		Not Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000075151.000 6	Email	3/9/2022 14:43	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@halboothsmith.com]		Not Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000075151.000 7	Email	3/9/2022 14:43	Rebekah Ditto [RDitto@halboothsmith.com]	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	4532_0036 Coffee County BOC_Election Board E_Mail	Not Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000075151.000 8	Email	3/9/2022 14:43	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@halboothsmith.com]		Not Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000075151.001 0	Email	3/9/2022 14:43	Rebekah Ditto [RDitto@halboothsmith.com]	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	4532_0036 Coffee County BOC_Election Board E_Mail	Not Privileged		
xREL0000119591.000 3	Email	3/9/2022 14:43	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@halboothsmith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000119591.000 4	Email	3/9/2022 14:43	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@halboothsmith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000119591.000 5	Email	3/9/2022 14:43	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@halboothsmith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	
xREL0000119591.000 6	Email	3/9/2022 14:43	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@halboothsmith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry	

xREL0000119 591.001 7	Email	3/9/2022 14:43	Rebekah Ditto [O=EXCHANGELABS/ OU =EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/C N	Lee M. Stoy, Jr. [LStoy@LAW.GA.G OV]	4532_0036 Coffee County BOC _ Election Board E_Mail [(F214496).imana ge@hbswcs02.hbs	A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000119 591.000 8	Email	3/9/2022 14:43	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@hallbooths mith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000119 591.001 0	Email	3/9/2022 14:43	Rebekah Ditto [O=EXCHANGELABS/ OU =EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/C N	Lee M. Stoy, Jr. [LStoy@LAW.GA.G OV]	4532_0036 Coffee County BOC _ Election Board E_Mail [(F214496).imana ge@hbswcs02.hbs	A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000071 492	Email	4/5/2022 9:51	Vickers, Tracie [Tracie.Vickers@coffeec ounty-ga.gov]	Charles Dial [charles.dial@coffe ecounty- ga.gov]; Vickers, Wesley [Wesley.Vickers@c offeecounty-		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000071 709	Email	4/6/2022 13:11	Vickers, Tracie [Tracie.Vickers@coffeec ounty-ga.gov]	Charles Dial [charles.dial@coffe ecounty- ga.gov]; Jennifer Dorminey Herzog		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000071 786	Email	4/7/2022 8:04	Vickers, Tracie [Tracie.Vickers@coffeec ounty-ga.gov]	Charles Dial [charles.dial@coffe ecounty- ga.gov]; Jennifer Dorminey Herzog		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000072 297.000 1	Email	4/12/2022 11:15	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@hallbooths mith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000072 297.000 2	Email	4/12/2022 11:15	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@hallbooths mith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000072 297.000 3	Email	4/12/2022 11:15	Rebekah Ditto [RDitto@hallboothsmith .com]	Lee M. Stoy, Jr. [LStoy@LAW.GA.G OV]	4532_0036 Coffee County BOC _ Election Board E_Mail	A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000072 297.000 4	Email	4/12/2022 11:15	Rebekah Ditto [RDitto@hallboothsmith .com]	Lee M. Stoy, Jr. [LStoy@LAW.GA.G OV]	4532_0036 Coffee County BOC _ Election Board E_Mail	A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000072 327.000 1.0001	Email	4/12/2022 11:16	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@hallbooths mith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000072 327.000 1.0002	Email	4/12/2022 11:16	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@hallbooths mith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000072 327.000 1.0003	Email	4/12/2022 11:16	Rebekah Ditto [RDitto@hallboothsmith .com]	Lee M. Stoy, Jr. [LStoy@LAW.GA.G OV]	4532_0036 Coffee County BOC _ Election Board E_Mail	A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000072 327.000 1.0004	Email	4/12/2022 11:16	Rebekah Ditto [RDitto@hallboothsmith .com]	Lee M. Stoy, Jr. [LStoy@LAW.GA.G OV]	4532_0036 Coffee County BOC _ Election Board E_Mail	A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000072 582	Email	4/13/2022 17:30	Vickers, Tracie [Tracie.Vickers@coffeec ounty-ga.gov]	Charles Dial [charles.dial@coffe ecounty- ga.gov]; Jennifer Dorminey Herzog		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000072 573	Email	4/13/2022 17:38	Charles Dial [charles.dial@coffeecou nty-ga.gov]	Vickers, Tracie [Tracie.Vickers@cof feecounty-ga.gov]	Jennifer Dorminey Herzog [jherzog@hallboo thsmith.com]	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000020 073.000 1	Email	4/19/2022 17:23	Rebekah Ditto [RDitto@hallboothsmith .com]	Lee M. Stoy, Jr. [LStoy@LAW.GA.G OV]	4532_0036 Coffee County BOC _ Election Board E_Mail	A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000020 073.000 2	Email	4/19/2022 17:23	Rebekah Ditto [RDitto@hallboothsmith .com]	Lee M. Stoy, Jr. [LStoy@LAW.GA.G OV]	4532_0036 Coffee County BOC _ Election Board E_Mail	A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000020 073.000 3	Email	4/19/2022 17:23	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@hallbooths mith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000020 073.000 4	Email	4/19/2022 17:23	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@hallbooths mith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry

xREL0000114 243.001 9	Email	4/19/2022 17:23	Lee M. Stoy, Jr. [LStoy@LAW.GA.GOV]	Rebekah Ditto [RDitto@hallboothsmith.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000071 172.000 1	Email	5/2/2022 17:20	Carbone, Dennis [dcarbone@sos.ga.gov]	Jennifer Dorminey Herzog [jherzog@hallboothsmith.com]	Anthony A. Rowell [ARowell@hallboothsmith.com]; Nick Kinsley [NKinsley@hallboothsmith.com]	Not Privileged	
xREL0000071 172.000 2	Email	5/2/2022 17:20	Deb Cox [dcox@lowndescounty.ga.gov]	'James Barnes' [james.barnes@coffecounty-ga.gov]	Nick Kinsley [NKinsley@hallboothsmith.com]	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000071 172.000 3	Email	5/2/2022 17:20	Deb Cox [dcox@lowndescounty.ga.gov]	COFFEE JAMES BARNES [james.barnes@coffecounty-ga.gov]		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000100 810.000 1	Email	5/2/2022 17:20	Carbone, Dennis [dcarbone@sos.ga.gov]	Jennifer Dorminey Herzog [jherzog@hallboothsmith.com]	Anthony A. Rowell [ARowell@hallboothsmith.com]; Nick Kinsley [NKinsley@hallboothsmith.com]	Not Privileged	
xREL0000100 810.000 2	Email	5/2/2022 17:20	Deb Cox [dcox@lowndescounty.ga.gov]	'James Barnes' [james.barnes@coffecounty-ga.gov]	Nick Kinsley [NKinsley@hallboothsmith.com]	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000100 810.000 3	Email	5/2/2022 17:20	Deb Cox [dcox@lowndescounty.ga.gov]	COFFEE JAMES BARNES [james.barnes@coffecounty-ga.gov]		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000068 776	Email	5/4/2022 16:14	Charles Dial [charles.dial@coffecounty-ga.gov]	Vickers, Tracie [Tracie.Vickers@coffecounty-ga.gov]	Wendell Stone [wendellstone2000@yahoo.com]; M atthew McCullough [mwmccul@yaho o.com]; Ernestine Thomas-Clark [etclark@windstre am.net]; Ernestine ThomasClark [ernestine.thomasclark@coffecounty-ga.gov]; ericchane y80@gmail.com; J ennifer Dorminey Herzog [jherzog@hallboothsmith.com]	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000068 604	Email	5/5/2022 9:40	Jennifer Dorminey Herzog [J/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP]	Charles Dial [charles.dial@coffecounty-ga.gov]	Vickers, Tracie [Tracie.Vickers@coffecounty-ga.gov]	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000068 642	Email	5/5/2022 12:08	Charles Dial [charles.dial@coffecounty-ga.gov]	Jennifer Dorminey Herzog [jherzog@hallboothsmith.com]	Vickers, Tracie [Tracie.Vickers@coffecounty-ga.gov]	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000068 638	Email	5/5/2022 13:07	Jennifer Dorminey Herzog [J/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP]	Charles Dial [charles.dial@coffecounty-ga.gov]		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000085 859	Email	6/2/2022 22:00	Jennifer Dorminey Herzog [jherzog@hallboothsmith.com]	records@americanoversight.org	Vickers, Tracie [Tracie.Vickers@coffecounty-ga.gov]; Rachel Roberts	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000023 474	Email	6/29/2022 15:14	Anthony A. Rowell [J/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN]	Phillips, Jeff [jphillips@accg.org]	Abercrombie, Ashley [AAbercrombie@accg.org]; Smith, John [JSmith@accg.org]	A/C Privileged	Privileged communication between client's insurance carrier and HBS counsel for the purpose of providing legal advice related to potential or actual litigation
xREL0000082 548	Email	6/29/2022 18:50	Jennifer Dorminey Herzog [jherzog@hallboothsmith.com]	bclark@vedderprice.com	Rachel Roberts [Rachel.Roberts@coffecounty-ga.gov]; Vickers, Tracie	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
	Text (3)	7/12/2022	Jennifer Herzog, Esq.; Brad Collins, Esq.; Tony Rowell, Esq.	Brad Collins, Esq.; Tony Rowell, Esq.; Jennifer Herzog.		Attorney-Client	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to actual or potential litigation.
xREL0000020 400	Email	7/12/2022 11:05	Jennifer Dorminey Herzog [jherzog@hallboothsmith.com]	brad@bradcollinslaw.com	Anthony A. Rowell [ARowell@hallboothsmith.com]; Vickers, Wesley [Wesley.Vickers@coffecounty-ga.gov]; Nick Kinsley	A/C Privileged	Privileged communication between client's additional counsel and HBS counsel for the purpose of providing legal advice related to response to request for production of documents to a nonparty/subpoena.
xREL0000079 516	Email	7/12/2022 11:05	Jennifer Dorminey Herzog [jherzog@hallboothsmith.com]	brad@bradcollinslaw.com	Anthony A. Rowell [ARowell@hallboothsmith.com]; Vickers, Wesley [Wesley.Vickers@coffecounty-ga.gov]; Nick Kinsley	A/C Privileged	Privileged communication between client's additional counsel and HBS counsel for the purpose of providing legal advice related to potential or actual litigation
xREL0000020 429	Email	7/12/2022 11:53	Jennifer Dorminey Herzog [jherzog@hallboothsmith.com]	brad@bradcollinslaw.com	Anthony A. Rowell [ARowell@hallboothsmith.com]; Vickers, Wesley [Wesley.Vickers@coffecounty-ga.gov]; Nick Kinsley	A/C Privileged	Privileged communication between client's additional counsel and HBS counsel for the purpose of providing legal advice related to response to request for production of documents to a nonparty/subpoena.

xREL0000020 957	Email	7/12/2022 16:23	Jennifer Dorminey Herzog [jherzog@hallboothsmith.h.com]	brad@bradcollinslaw.com	Anthony A. Rowell [ARowell@hallboothsmith.com]; Vick ers, Wesley [Wesley.Vickers@coffeecounty-ga.gov]; Nick Kinsley	A/C Privileged	Privileged communication between client's counsel and HBS counsel for the purpose of providing legal advice related to response to request for production of documents to a nonparty/subpoena.
xREL0000022 007	Email	7/13/2022 15:01	Jennifer Dorminey Herzog [jherzog@hallboothsmith.h.com]	James A Barnes [jbarnes@valdosta.edu]	Anthony A. Rowell [ARowell@hallboothsmith.com]; Nick Kinsley [NKinsley@hallboothsmith.com]; Vickers, Wesley	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to request for production of documents to a nonparty/subpoena.
xREL0000080 324	Email	7/13/2022 15:01	Jennifer Dorminey Herzog [O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN	James A Barnes [jbarnes@valdosta.edu]	Anthony A. Rowell [ARowell@hallboothsmith.com]; Nick Kinsley [NKinsley@hallboothsmith.com]; Vickers, Wesley	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to request for production of documents to a nonparty/subpoena.
xREL0000080 987	Email	7/14/2022 14:12	Vickers, Tracie [Tracie.Vickers@coffeecounty-ga.gov]	Charles Dial [charles.dial@coffeecounty-ga.gov]; Jennifer Dorminey Herzog		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000081 145	Email	7/15/2022 15:37	Vickers, Tracie [Tracie.Vickers@coffeecounty-ga.gov]	Charles Dial [charles.dial@coffeecounty-ga.gov]; Jennifer Dorminey Herzog		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000124 107.000 1	Email	7/18/2022 14:25	calendar-dmv@veritext.com	Conaway, Jenna B. [JConaway@mofo.com]		A/C Privileged	Privileged internal communication between HBS counsel for the purpose of providing legal advice related to response to request for production of documents to a nonparty/subpoena.
xREL0000081 286	Email	7/18/2022 14:28	Jennifer Dorminey Herzog [O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP	James A Barnes [jbarnes@valdosta.edu]	Stephen Delk [SDelk@hallboothsmith.com]; Carla Ugalde [CUgalde@hallboothsmith.com]	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to potential or actual litigation
xREL0000124 110	Email	7/18/2022 14:28	Jennifer Dorminey Herzog [jherzog@hallboothsmith.h.com]	James A Barnes [jbarnes@valdosta.edu]	Stephen Delk [SDelk@hallboothsmith.com]; Carla Ugalde [CUgalde@hallboothsmith.com]	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to request for production of documents to a nonparty/subpoena.
xREL0000124 110.000 1	Email	7/18/2022 14:28	calendar-dmv@veritext.com	Conaway, Jenna B. [JConaway@mofo.com]		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to request for production of documents to a nonparty/subpoena.
xREL0000081 287	Email	7/18/2022 14:31	Jennifer Dorminey Herzog [O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP	James A Barnes [jbarnes@valdosta.edu]	Stephen Delk [SDelk@hallboothsmith.com]; Carla Ugalde [CUgalde@hallboothsmith.com]	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to potential or actual litigation
xREL0000124 111	Email	7/18/2022 14:31	Jennifer Dorminey Herzog [jherzog@hallboothsmith.h.com]	James A Barnes [jbarnes@valdosta.edu]	Stephen Delk [SDelk@hallboothsmith.com]; Carla Ugalde [CUgalde@hallboothsmith.com]	A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to request for production of documents to a nonparty/subpoena.
xREL0000081 601.000 2	Email	7/18/2022 16:34	Vickers, Tracie [Tracie.Vickers@coffeecounty-ga.gov]	Charles Dial [charles.dial@coffeecounty-ga.gov]; Jennifer Dorminey Herzog		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry
xREL0000081 419.000 1	Email	7/19/2022 9:20	Vickers, Tracie [Tracie.Vickers@coffeecounty-ga.gov]	Charles Dial [charles.dial@coffeecounty-ga.gov]; Jennifer Dorminey Herzog		A/C Privileged	Privileged communication between client and HBS counsel for the purpose of providing legal advice related to response to open records request and/or media inquiry

Declaration of Cary Ichter

EXHIBIT C

January 29, 2024 Email Chain

From: Ben Perkins <bperkins@olivermaner.com>
Sent: Monday, January 29, 2024 4:02 PM
To: Cary Ichter; Marilyn Marks; Jennifer Dorminey Herzog; Wes Rahn; Bruce Perrin Brown Esq. (bbrown@brucepbrownlaw.com)
Cc: Halsey G. Knapp, Jr.; Adam M. Sparks; Nick Kinsley; Anthony A. Rowell; Jill Connors; Melissa Boehlke
Subject: RE: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Cary,
I believe this is the first time those documents have been mentioned since the privilege log was served on January 3. Is that correct? If so, I don't believe we would have had a reason to reevaluate the privilege assertion as to those documents.

Ben Perkins
Oliver Maner LLP
912-238-2515

From: Cary Ichter <CIchter@IchterDavis.com>
Sent: Monday, January 29, 2024 3:07 PM
To: Ben Perkins <bperkins@olivermaner.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. (bbrown@brucepbrownlaw.com) <bbrown@brucepbrownlaw.com>
Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>
Subject: RE: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Ben: From what I can tell, these are all the list documents on which Mr. Dial was copied for which privilege was claim that have not been addressed:

xREL0000009758
xREL0000009874
xREL0000066837
xREL0000066859
xREL0000069112
xREL0000068604
xREL0000068638
xREL0000068642
xREL0000068776
xREL0000071160
xREL0000071219
xREL0000071225
xREL0000072573

xREL0000072582
xREL0000071323
xREL0000071492
xREL0000074286
xREL0000071709
xREL0000071786
xREL0000072218
xREL0000074756.0002
xREL0000081145
xREL0000080987
xREL0000081419.0001
xREL0000081601.0002

Have they been reviewed as well to determine if CCBOER wants to produce the documents. Cary

Cary Ichter, Partner
Ichter Davis, LLC
400 Interstate N Pkwy
Suite 860
Atlanta, GA 30339
phone 404.869.5243
fax 404.602.0037
cell 404.769.1353
cichter@IchterDavis.com



From: Ben Perkins <bperkins@olivermaner.com>
Sent: Monday, January 29, 2024 1:19 PM
To: Cary Ichter <Cichter@IchterDavis.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com> <bbrown@brucepbrownlaw.com>
Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>
Subject: RE: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Cary,
I believe you are referring to my comments about xREL000064575 and 64583. Those documents were produced and deleted from the privilege log. See my January 17 email. We also produced the open records request at issue for 74286 (see my 1/11/24 email from 8:17 p.m.).
I believe the foregoing productions resolved any issues regarding documents on which Mr. Dial is copied, but if you feel I am mistaken, please give me a call to discuss.

Ben Perkins
Oliver Maner LLP
912-238-2515

From: Cary Ichter <Clichter@IchterDavis.com>
Sent: Monday, January 29, 2024 12:02 PM
To: Ben Perkins <bperkins@olivermaner.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com> <bbrown@brucepbrownlaw.com>
Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>
Subject: RE: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Ben: You indicated you were prepared to confer further re production of documents on which Mr. Dial is copied. What is the County prepared to propose? Cary

Cary Ichter, Partner
Ichter Davis, LLC
400 Interstate N Pkwy
Suite 860
Atlanta, GA 30339
phone 404.869.5243
fax 404.602.0037
cell 404.769.1353
clichter@IchterDavis.com



From: Ben Perkins <bperkins@olivermaner.com>
Sent: Friday, January 12, 2024 5:23 PM
To: Cary Ichter <Clichter@IchterDavis.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com> <bbrown@brucepbrownlaw.com>
Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>
Subject: RE: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Cary,
See what I wrote in red below, highlighted so you can see what is new.
Also: xREL000104721 and xREL000104756: thank you for giving us the opportunity to take another look at these documents. After further review, we agree that the privilege was waived as to the communication being produced. See attached. These are produced straight from Relativity, which means they should open in your browser. Let me know if you any difficulties opening them.

Other than our agreement to submit an updated privilege log to delete reference to "media inquiry" for Xrel000061231, is there anything else you feel is needed from us? I believe we've satisfied all concerns you raised.

Ben Perkins
Oliver Maner LLP
912-238-2515

From: Cary Ichter <CIchter@IchterDavis.com>
Sent: Friday, January 12, 2024 10:30 AM
To: Ben Perkins <bperkins@olivermaner.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com> <bbrown@brucepbrownlaw.com>
Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>
Subject: RE: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

See below in [BLUE](#).

Cary Ichter, Partner
Ichter Davis, LLC
400 Interstate N Pkwy
Suite 860
Atlanta, GA 30339
phone 404.869.5243
fax 404.602.0037
cell 404.769.1353
cichter@IchterDavis.com



From: Ben Perkins <bperkins@olivermaner.com>
Sent: Thursday, January 11, 2024 7:14 PM
To: Cary Ichter <CIchter@IchterDavis.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com> <bbrown@brucepbrownlaw.com>
Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>
Subject: RE: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Cary,
In the interest of supplying as much information as possible as quickly as possible, see below in red. I'll update this response as I have additional information.

Ben Perkins
Oliver Maner LLP
912-238-2515

From: Cary Ichter <CIchter@IchterDavis.com>
Sent: Thursday, January 11, 2024 5:42 PM

To: Ben Perkins <bperkins@olivermaner.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucebrownlaw.com> <bbrown@brucebrownlaw.com>
Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>
Subject: RE: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

See comments imbedded below:

From: Ben Perkins <bperkins@olivermaner.com>
Sent: Tuesday, January 9, 2024 7:36 PM
To: Cary Ichter <CIchter@IchterDavis.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucebrownlaw.com> <bbrown@brucebrownlaw.com>
Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>
Subject: RE: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Dear Cary:

I apologize for not responding sooner today. I've been stuck at home sick with COVID since Sunday, and making matters worse, power at my house was out until a couple of hours ago due to the high winds. Nick, Jennifer, and Tony's offices were closed today due to this crazy storm.

Thank you for the opportunity to confer regarding the updated 2024 privilege log. It is my intention to address each item raised in your email and the issues raised for each item. If I failed to do that, please let me know. As you know, it is our desire to confer and achieve a reasonable resolution without having to involve the Court.

xREL000104721: We are reviewing/researching and will be in touch as soon as possible.

CI: I appreciate that. When will we have a final answer. The trial is happening now. **BMP: I expect by Jan. 12. Jan 12 update: produced (see above).**

xREL000104756: We are reviewing/researching and will be in touch as soon as possible.

CI: I appreciate that. When will we have a final answer. The trial is happening now. **BMP: I expect by Jan. 12. Jan 12 update: produced (see above).**

xREL000064575: Mr. Dial was working for Coffee County and was involved in the correspondence in that capacity. We thus disagree with your position. See Hope For Fams. & Cmty. Serv., Inc. v. Warren, 2009 WL 1066525 (M.D. Ala. Apr. 21, 2009) and the cases cited therein, including Bieter (finding the attorney-client privilege applied to communications between a consultant and defendant's counsel). While the research is clear, we are willing to confer further. However, after reviewing the correspondence more closely, part of this document is not privileged and is produced herewith (Please see attached, p. 1).

CI: "The attorney-client privilege exists to protect confidential communications between client and lawyer made for the purpose of securing legal advice." *In re Grand*

Jury Proceedings 88-9, [899 F.2d 1039, 1042](#) (11th Cir. 1990). "The party invoking the attorney-client privilege has the burden of proving that an attorney-client relationship existed and that the particular communications were confidential." *Bogle v. McClure*, [332 F.3d 1347, 1358](#) (11th Cir. 2003) (citations and internal quotation marks omitted). "To determine if a particular communication is confidential and protected by the attorney-client privilege, the privilege holder must prove the communication was (1) intended to remain confidential and (2) under the circumstances was *reasonably* expected and understood to be confidential." *Id.* (quoting *United States v. Bell*, [776 F.2d 965, 971](#) (11th Cir. 1985)). A communication with an independent contractor also has to satisfy the test used to examine the applicability of the attorney-client privilege in the corporate-employee setting. That test provides that:

the attorney-client privilege is applicable to an [independent contractor's] communication if (1) the communication was made for the purpose of securing legal advice; (2) the [independent contractor] making the communication did so at the direction of [the corporation]; (3) the [corporation] made the request so that the corporation could secure legal advice; (4) the subject matter of the communication is within the scope of the [independent contractor's] duties; and (5) the communication is not disseminated beyond those persons who, because of the corporate structure, need to know its contents.

Id. at 936 (quoting *Diversified Indus., Inc. v. Meredith*, [572 F.2d 596, 599](#) (8th Cir. 1977) (brackets added)). The burden is on the party claiming the privilege "to show that the communications at issue meet all of the [five] requirements." *Id.* (brackets added).

The information that you have supplied to us to justify invocation of the privilege in communications involving Mr. Dial, an independent contractor, is not nearly sufficient to make this kind of showing. You need to provide more information so we can assess whether the invocation of the privilege is justified. **BMP: I am struggling with how to provide additional information without disclosing the content of the communication. Note that we produced part of this document on Jan 9 (p. 1). We will be in touch.**

CI: Well, you could tell me who the ORR came from; what was requested; when the ORR was made; what Mr. Dial's involvement was (obviously, he was not offering legal advice and presumably, he was not seeking legal advice, as Ms. Herzog was not the primary recipient); and what technical (non-legal) info was sought from Mr. Dial.

BMP Jan. 12 update: please see pages 1 and 6 of the documents we produced on January 9. I believe they resolve the issue.

xREL000064583: Contrary to what you wrote, Ms. Herzog was a recipient on this correspondence. However, after reviewing the correspondence more closely, this document is not privileged and is produced herewith (Please see attached, p. 6).

CI: You are correct. Ms. Herzog was copied, but again, unless you can make a showing sufficient to justify the invocation of the privilege in connection with communications involving Mr. Dial, the privilege here would have been waived. **BMP: the document was produced as an attachment to my January 9 email (see p. 6), so this issue is moot.**

xREL000064583: It appears that the document number you reference is incorrect, and you instead are referencing xREL0000062038. Upon further review of xREL0000062038, we agree that communication (a communication between Ms. Herzog and Eric Rich from the DOJ with others copied) is not privileged and is produced herewith. (Please see attached, pp. 2-4)

CI: Right again. Thanks for the production.

xREL000061231: Ms. Gillis is the Coffee County Clerk of Court. We understand the reason her email domain caused confusion on your end. The communication is privileged.

CI: I find your description of the basis for the assertion of the privilege troubling with respect to all of these documents. You say assert that “the communication....[was] for the purpose of providing legal advice related to a response to open records request and/or media inquiry.” That suggests to me that counsel has not even looked at the document. Was it an open records request or a media inquiry. I would think the need for legal advice would be much greater in connection with a ORR versus a media inquiry. Media inquiries, I would think, are more likely fielded by PR specialists and do not typically require legal advice. Pls let us know which it was for each of these documents for which that boilerplate description is used. **BMP: The documents were reviewed by counsel. As you noted, counsel engaged in a tremendous amount of work in a short period of time during the holidays to prepare and serve the updated privilege log within the Court’s deadline (work that could have been done in 2022 had there been a conferral soon after the privilege log was produced). Given the circumstances, it makes sense that they would use a somewhat broad but applicable description. I don’t agree with the generalization that ORR’s typically require a greater need for legal advice than media inquiries since it depends on the issue. I am not aware of Coffee County employing a PR specialist. We will be in touch.**

CI: I appreciate the efforts of all involved, particularly during the holidays. I understand your position re conferral. I guess I could counter by saying, “If we received a compliant log in the first place, we wouldn’t find ourselves here.” But I won’t say that. The problem I have with the boiler plate description provided is that it fails to provide any document specific information. For example, who the ORR or media inquiry came from; what was requested; when the request was made; what the sender’s involvement in the response process was. None of this should be privileged but would help us determine if it is something that justifies a closer look. **BMP Jan. 12 update: I sent everyone on this email thread the ORR at issue by email on 1/11/24 at 8:17 p.m. I believe this issue is now moot.**

xREL000074286: Contrary to what you wrote, Ms. Herzog was either a sender or recipient on this correspondence. Mr. Dial was working for Coffee County and was involved in the correspondence in that capacity. We disagree with your position. See Hope For Fams. & Cmty. Serv., Inc. v. Warren, 2009 WL 1066525 (M.D. Ala. Apr. 21, 2009) and the cases cited therein, including Bieter (finding the attorney-client privilege applied to communications between a consultant and defendant’s counsel). We are willing to confer further.

CI: You are correct about Herzog being copied. My oversight. Sorry. As for Mr. Dial's involvement, see comments above. We need more information re the reason for his involvement. **BMP: Same comment as above.**

CI: Me too. **BMP Jan. 12 update: I sent everyone on this email thread the ORR at issue by email on 1/11/24 at 8:17 p.m. I believe this issue is now moot.**

xREL0000075151.000.3—001.0 and xREL00000119591.000.3—001.0: After further review, we agree this email thread and its attachments are not privileged. We will retrieve these documents as soon as possible and provide them to you.

CI: Pls advise when they will be available. In order to determine they were not privileged, I would assume you had access to them. So, I do not understand the reason for the delay. Pls advise. **BMP: See my Jan 10, 2024 email (5:15 p.m.) to everyone on this email thread, to which the documents were attached. Because the size was large, my paralegal Melissa Boehlke (mboehlke@olivermaner.com) sent you the same documents by sharefile on Jan. 10 at 5:21 p.m.**

CI: Ok Thanks.

We will revise the privilege log in accordance with this communication, after we produce the documents (xREL0000075151.000.3—001.0 and xREL00000119591.000.3—001.0). Thank you for bringing this to our attention and for giving us the opportunity to conduct a further review of the documents at issue. If you identify other concerns regarding the privilege log, please reach out and we will work diligently to resolve them.

CI: Your email said nothing about the following documents. **BMP: both were addressed. See above.** Pls let us know your position as to these as soon as possible. Thank you:

xREL000064575: CCBOER claim AC privilege involving Charles Dial, not a client of HBS to our knowledge (and if he were, CCBOER's receipt of AC communications to or from him would be a waiver), and Tracie Vickers with Coffee County government, with a HBS lawyer copied. Supposedly, this is privileged because the communication provides advice to a client re an ORR. As with all similar or identical descriptions, the information provided is too vague to allow us to assess the claim. More importantly, the lawyer here is merely a CC recipient. And, as with the immediately preceding document, I do not know how a CC recipient seeks or offers legal advice. Please produce the document and all others like it. **BMP: this item is addressed above.**

xREL000064583: CCBOER claim AC privilege from Tracie Vickers to Charles Dial, not a client of HBS to our knowledge (and if he were, CCBOER's receipt of AC communications to or from him would be a waiver). Here there is no HBS lawyer copied, and there is no hint of any lawyer offering or any client seeking legal advice. Typically, privileged communications involve an actual lawyer. Again, this communication involves legal advice regarding an ORR, but no lawyer is involved. Additionally, the description is too vague to allow us to assess the claim. Please produce the document and all others like it. **BMP: This document was produced (as noted above; see my January 9 email attachment at p. 6).**

Ben Perkins
Oliver Maner LLP
912-238-2515

From: Cary Ichter <Clichter@IchterDavis.com>
Sent: Monday, January 8, 2024 1:17 PM
To: Ben Perkins <bperkins@olivermaner.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com> <bbrown@brucepbrownlaw.com>
Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>
Subject: RE: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Ben: We have been reviewing the privilege log you provided. It has been quite an undertaking. Who would have thought that a 17-item, three and one-half page privilege log could morph into a 311-page document? Rather shocking to say the least.

I do not know if you actually looked at the log before producing it. If you did, I am sure you know that there are many, many documents listed that do not indicate the slightest indicia (based upon the description provided) of any privilege whatsoever. I have attached hereto for your review and information an Excel spreadsheet of 80-something documents we have identified as plainly non-privileged. Mind you, we are just getting started in our review. So, these are not all the documents we will be asking you to produce. Also, given that the trial starts on Tuesday, we ask that you produce these documents *immediately*.

Starting at the top, xREL000104721: Although CCBOER claim AC privilege, there is no attorney identified in connection with this document. The document appears to be a communication between non-clients. To the extent it reveals the content of an AC communication, the privilege has been waived. Please produce the document and all others like it.

xREL000104756: CCBOER claim AC privilege involving the same sender and recipient as the previous document, but this one has a HBS lawyer copied. Supposedly, this is privileged because the communication provides advice to a client re an ORR. The description is too vague to allow us to assess the claim; more information is required (what ORR request; what is the general nature of the issue addressed, etc.). More importantly, the lawyer here is merely a CC recipient. I do not know how a CC recipient seeks or offers legal advice, which is required for the privilege to attach. Please produce the document and all others like it or provide a more detailed description.

xREL000064575: CCBOER claim AC privilege involving Charles Dial, not a client of HBS to our knowledge (and if he were, CCBOER's receipt of AC communications to or from him would be a waiver), and Tracie Vickers with Coffee County government, with a HBS lawyer copied. Supposedly, this is privileged because the communication provides advice to a client re an ORR. As with all similar or identical descriptions, the information provided is too vague to

allow us to assess the claim. More importantly, the lawyer here is merely a CC recipient. And, as with the immediately preceding document, I do not know how a CC recipient seeks or offers legal advice. Please produce the document and all others like it.

xREL000064583: CCBOER claim AC privilege from Tracie Vickers to Charles Dial, not a client of HBS to our knowledge (and if he were, CCBOER's receipt of AC communications to or from him would be a waiver). Here there is no HBS lawyer copied, and there is no hint of any lawyer offering or any client seeking legal advice. Typically, privileged communications involve an actual lawyer. Again, this communication involves legal advice regarding an ORR, but no lawyer is involved. Additionally, the description is too vague to allow us to assess the claim. Please produce the document and all others like it.

xREL000064575: CCBOER claim AC privilege involving Charles Dial, not a client of HBS to our knowledge (and if he were, CCBOER's receipt of AC communications to or from him would be a waiver), and Tracie Vickers with Coffee County government, with a HBS lawyer copied. Supposedly, this is privileged because the communication provides advice to a client re an ORR. The description is too vague to allow us to assess the claim. More importantly, the lawyer here is merely a CC recipient. And, as with the immediately preceding document, I do not know how a CC recipient seeks or offers legal advice. Please produce the document and all others like it.

xREL000064583: CCBOER claim AC privilege involving Ms. Herzog, a HBS lawyer, and J. Eric Rich with the U. S. Department of Justice, with Tracie Vickers and James Barnes copied. Purportedly, this is privileged because the communication provides advice to a client re an ORR. The description is too vague to allow us to assess the claim. More importantly, the primary addressee is a non-client. If Ms. Herzog was in fact providing advice to Ms. Vicker and Mr. Barnes in connection with this communication, the privilege was waived by including Mr. Rich in the communication. Please produce the document and all others like it.

xREL000061231: CCBOER claim AC privilege involving Elisa Gillis of Georgia Superior Court Clerks' Cooperative Authority (GSCCCA) and Ms. Herzog. Purportedly, this is communication is privileged because the communication provides advice to a client re an ORR. The description is too vague to allow us to assess the claim. More importantly, as far as we are aware, GSCCCA is not a HBS client, and even if it were, the fact that someone shared the communication between HBS and GSCCCA with CCBOER waived the privilege. Please produce the document and all others like it.

xREL000074286: CCBOER claim AC privilege involving Tracie Vickers as sender and Charles Dial as recipient, neither of whom is an attorney. Purportedly, this is communication is privileged because the communication provides advice to a client re an ORR. Of course, if no attorney is involved in the communication, no AC privilege can apply. Also, the description is too vague to allow us to assess the claim. Please produce the document and all others like it.

xREL0000075151.000.3—001.0 and xREL00000119591.000.3—001.0 This is a series of email exchanges between Lee M. Stoy, with the Georgia AG's office, and Rebecca Ditto of HBS, purportedly regarding advice re an ORR. Of course, HBS is not representing the State of Georgia in connection with this matter or in connection with these communications, and Mr. Stoy is not representing CCBOER. On two of emails, the CCBOER is copied, but being copied on an email is neither offering nor seeking legal advice. In short, no privilege applies to these communications. Please produce the document and all others like it.

These twenty-something examples of non-privileged communications are illustrative of the communications on the attached spread sheet. Please turn over these documents immediately. Please let me know your intentions by January 9, 2024 (the first day of trial), or I will file an emergency motion with the Court and will seek sanctions in connection with the motion.

I await your response.

Sincerely, Cary Ichter

Cary Ichter, Partner
Ichter Davis, LLC
 400 Interstate N Pkwy
 Suite 860
 Atlanta, GA 30339
 phone 404.869.5243
 fax 404.602.0037
 cell 404.769.1353
cichter@IchterDavis.com



From: Ben Perkins <bperkins@olivermaner.com>

Sent: Wednesday, January 3, 2024 6:14 PM

To: Cary Ichter <Clichter@IchterDavis.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucebrownlaw.com> <bbrown@brucebrownlaw.com>

Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>; Melissa Boehlke <mboehlke@olivermaner.com>

Subject: Service of Privilege Log; Response to Request for Extension of Sanctions Motion Deadline

Dear Cary et al.:

Happy New Year!

Attached for service is the itemized privilege log which Judge Cheesbro ordered us to provide on or before January 3, 2024. I do not intend to serve a certificate of service unless you feel one is needed.

At this time, I am not able to consent to your request for an extension of time to file a motion for sanctions.

I hope your trial preparations are going well.

Regards,

Ben Perkins
Oliver Maner LLP
912-238-2515

From: Ben Perkins <bperkins@olivermaner.com>

Sent: Thursday, December 28, 2023 2:06 PM

To: Cary Ichter <CIchter@IchterDavis.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com>

Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>

Subject: Re: Sanctions Motion Deadline

I'm traveling today but will be in touch as soon as I'm able to speak with co-counsel.

Ben Perkins
Oliver Maner LLP

From: Cary Ichter <CIchter@IchterDavis.com>

Sent: Thursday, December 28, 2023 12:01:09 PM

To: Ben Perkins <bperkins@olivermaner.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com>

Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>

Subject: RE: Sanctions Motion Deadline

Ben: Any response to this? Cary

Cary Ichter, Partner
Ichter Davis, LLC
400 Interstate N Pkwy
Suite 860
Atlanta, GA 30339
phone 404.869.5243
fax 404.602.0037
cell 404.769.1353
cichter@IchterDavis.com



From: Cary Ichter

Sent: Tuesday, December 26, 2023 11:58 AM

To: Ben Perkins <bperkins@olivermaner.com>; Marilyn Marks <marilyn@uscgg.org>; Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>; Wes Rahn <wrahn@olivermaner.com>; Bruce Perrin Brown Esq. <bbrown@brucepbrownlaw.com> <bbrown@brucepbrownlaw.com>

Cc: Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Jill Connors <JConnors@IchterDavis.com>

Subject: Sanctions Motion Deadline

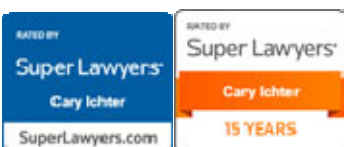
Ben: As you know, the Court has given us 30 days from the date of its December 22, 2023 Order to file any motion for sanction related to the subpoenas served on CCBOER in the Summer of 2022. We would like to move that deadline for two reasons. First, there is no assurance that all privilege log issues will be resolved by that time. If, for example, the revised privilege logs give rise to requests for further production or an *in camera* review, we do not think a 30 day window will afford us sufficient time to address all pertinent issues.

Additionally, we expect that there is a good chance we will still be trying the *Curling* matter on January 22, 2024, and even if we are miraculously finished by January 22, the trial will have likely consumed all of our available bandwidth in early and mid-January.

We would suggest that we be afforded 14 days following the trial to submit motions regarding the privilege log. We would report to the Court when the trial ends. If none are filed, we would be given an additional 14 days to submit any sanctions motion. If any motions are filed, the Court will indicate in any order resolving any such motion when the sanctions motion will be due.

Pls let me know if we can report to the Court that you consent to this proposal. Cary

Cary Ichter, Partner
Ichter Davis, LLC
400 Interstate N Pkwy
Suite 860
Atlanta, GA 30339
phone 404.869.5243
fax 404.602.0037
cell 404.769.1353
cichter@IchterDavis.com



Declaration of Cary Ichter

EXHIBIT D

Ichter Davis LLC Billing Statements



Ichter Davis LLC

400 Interstate N. Parkway SE, Suite 860
 Atlanta, GA 30339
 United States
 Phone: 4048697600
 EIN: x-3699
 Email: ddavis@ichterdavis.com
<https://ichterdavis.com>

INVOICE

Invoice # 1083
 Date: 05/05/2023
 Due On: 06/04/2023

Coalition for Good Governance

616-003

Secretary of State; State Elections Board; Coffee County

Services

Date	Attorney	Notes	Quantity	Rate	Total
04/09/2023	Cary Ichter	Exchange emails with Ms. Marks; Prepare letter to Mr. Maguire.	0.80	\$625.00	\$500.00
04/13/2023	Cary Ichter	Exchange messages with Mr. Maguire; exchange emails with Ms. Marks.	0.30	\$625.00	\$187.50
Services Subtotal					\$687.50

Expenses

Type	Date	Notes	Quantity	Rate	Total
Expense	04/14/2023	Postage	1.00	\$0.60	\$0.60
Expenses Subtotal					\$0.60
Subtotal					\$688.10

Total \$688.10

Detailed Statement of Account

Other Invoices

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1808	12/09/2023	\$20,885.26	\$0.00	\$20,885.26
2046	01/05/2024	\$28,236.38	\$0.00	\$28,236.38
2403	02/08/2024	\$14,869.45	\$0.00	\$14,869.45
2486	03/06/2024	\$11,653.30	\$0.00	\$11,653.30

Interest On Other Invoices

Original Invoice	Due On	Amount Due	Payments Received	Balance Due
1808	01/09/2024	\$0.11	\$0.00	\$0.11
2046	02/05/2024	\$0.50	\$0.00	\$0.50
1808	02/08/2024	\$0.11	\$0.00	\$0.11
2046	03/06/2024	\$0.50	\$0.00	\$0.50
1808	03/09/2024	\$0.11	\$0.00	\$0.11
2403	03/10/2024	\$0.01	\$0.00	\$0.01

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1083	06/04/2023	\$688.10	\$0.00	\$688.10
Outstanding Balance				\$76,333.83
Total Amount Outstanding				\$76,333.83

Please make all amounts payable to: Ichter Davis LLC

Payment is due within thirty (30) days. Any delinquent amount will accrue interest at the rate of one and one-half percent (1.5%) per month.

Ichter Davis LLC

400 Interstate N. Parkway SE, Suite 860
Atlanta, GA 30339
United States
Phone: 4048697600
EIN: x-3699
Email: ddavis@ichterdavis.com
<https://ichterdavis.com>

INVOICE

Invoice # 1083
Date: 05/05/2023
Due On: 06/04/2023



Pay your invoice online

To pay your invoice, open the camera on your mobile device and place the QR code in the camera's view.

Or, [click here](#) if you're viewing on a computer or smartphone.



Ichter Davis LLC

400 Interstate N. Parkway SE, Suite 860
 Atlanta, GA 30339
 United States
 Phone: 4048697600
 EIN: x-3699
 Email: ddavis@ichterdavis.com
<https://ichterdavis.com>

INVOICE

Invoice # 1808
 Date: 11/09/2023
 Due On: 12/09/2023

Coalition for Good Governance

616-003

Secretary of State; State Elections Board; Coffee County

Services

Date	Attorney	Notes	Quantity	Rate	Total
10/07/2023	Cary Ichter	Review various correspondence and press releases regarding Hampton emails; Exchange various emails with Ms. Marks regarding same.	0.80	\$625.00	\$500.00
10/09/2023	Cary Ichter	Review various emails between team and Mr. Cross; Exchange various emails with Ms. Marks regarding motion related to Coffee County misrepresentations.	1.00	\$625.00	\$625.00
10/10/2023	Cary Ichter	Exchange emails regarding Coffee County, outcome of mediation, and moving towards trial; Review and revise statement of dispute prepared by Ms. Marks.	1.50	\$625.00	\$937.50
10/12/2023	Cary Ichter	Review extensive email exchange regarding handling of Coffee County discovery and deception issues; Exchange emails with Ms. Marks and Mr. Brown.	1.30	\$625.00	\$812.50
10/16/2023	Cary Ichter	Review and revise conferral letter; Circulate same and make changes suggested by team; Prepare email to Mr. Cross regarding conferral letter; Exchange emails regarding trial preparation; Begin work on Motion to	3.00	\$625.00	\$1,875.00

Compel Discovery for Coffee County.					
10/17/2023	Cary Ichter	Review various emails regarding Coffee County motion to compel from Mr. Cross, Mr. Brown, Mr. MaGuire, and Ms. Marks; Review, revise, and finalize letter to Ms. Herzog; Continued work on Motion to Compel; Circulate same.	3.00	\$625.00	\$1,875.00
10/20/2023	Cary Ichter	Review and revise Motion to Compel; Exchange emails with Ms. Marks; Prepare email to Mr. Cross.	1.30	\$625.00	\$812.50
10/23/2023	Jill Connors	Detailed proofread of Motion to Compel; Prepare exhibits and slip sheets; Proofread, double and triple check exhibit references to ensure accuracy; Telephone call to Southern District of Georgia Court Clerk regarding Miscellaneous Filing and procedure for same (x3); Exchange emails with Ms. Marks regarding questions as to exhibits; Prepare signature blocks; Exchange emails inquiring as to name of counsel for CCBOER; Finalize draft Motion to Compel and exhibits for circulation with noted questions/comments needing attorney attention.	4.50	\$225.00	\$1,012.50
10/23/2023	Jill Connors	Research regarding service of Motion to Compel filed as Miscellaneous Action; Email to Mr. Ichter regarding same.	0.50	\$225.00	\$112.50
10/23/2023	Jill Connors	Review local rules regarding emergency and/or expedited procedures related to filings and email attorneys for Plaintiffs regarding same; Proofread, edit and circulate draft Emergency Motion; Receive edits and comments from attorneys; Incorporate edits and make additional redlines; Recirculate; Finalize; Telephone call to Clerk's office (Brunswick Division); Finalize all documents to be filed, prepare cover letter to be sent to the Clerk with filings; Fedex hard copies of filings to the Clerk of Brunswick Division; Statutory Electronic Service of all documents submitted for filing.	3.50	\$225.00	\$787.50
10/23/2023	Cary Ichter	Review various changes to Motion to Compel; Draft Motion to Expedite Consideration of Motion to Compel; Draft Motion to Expedite Consideration of Motion to Compel.	1.50	\$625.00	\$937.50
10/24/2023	Jill Connors	Review federal rules, comments and articles regarding particular issues relating to service of Motion to Compel; Conference with Mr. Ichter regarding same; Exchange emails with Ms. Marks regarding service on CCBOER; Serve Curling counsel with Motion to Compel and Emergency Motion; Send follow-up email to Ms. Herzog regarding acknowledgment of service; Send email to Mr. Rowell and Mr. Perkins regarding acknowledgment of service; Exchange additional emails with Mr. Perkins; Email updates to Ms. Marks.	2.30	\$225.00	\$517.50
10/24/2023	Cary Ichter	Various communications with Ms. Connors and Ms. Marks regarding status of filing and service; Telephone	0.80	\$625.00	\$500.00

		call with Mr. Hecht regarding Coffee County situation.			
10/25/2023	Jill Connors	Continue downloading file-stamped pleadings received from Southern District, update client file and distribute copies of same to co-counsel.	0.60	\$225.00	\$135.00
10/25/2023	Jill Connors	Continued review of relevant federal rules of civil procedure and local rules regarding Motions to Compel, enforcement of subpoenas, and service; Prepare Acknowledgment of Service draft for attorney team review; Prepare email to attorney team regarding service and acknowledgment.	0.90	\$225.00	\$202.50
10/25/2023	Cary Ichter	Review various emails regarding service from Ms. Connors; Exchange emails with team regarding judge.	0.80	\$625.00	\$500.00
10/26/2023	Jill Connors	Research regarding Judge L. G. Wood; Prepare email to C. Ichter regarding same with articles, information and links.	0.90	\$225.00	\$202.50
10/26/2023	Cary Ichter	Telephone call with Mr. Perkins; Exchange emails with Ms. Mixon with the Court; Review Order and other documents from the Court; Exchange emails with Ms. Marks.	0.80	\$625.00	\$500.00
10/27/2023	Courtney Francisco	Confer with J. Connors regarding pro hac vice petitions.	0.10	\$200.00	\$20.00
10/27/2023	Jill Connors	Exchange emails and telephone calls with Mr. Ichter and Mr. Brown regarding PHV Applications for Southern District of Georgia; Travel to Northern District of Georgia Clerk's Office to request and obtain certificates of good standing for Mr. Brown and Mr. Ichter; Return travel to office; Complete Applications for Pro Hac Vice admission for both attorneys; Efile Mr. Ichter's application; Telephone call to Southern District of Georgia Clerk's Office regarding filings (x2).	3.60	\$225.00	\$810.00
10/27/2023	Jill Connors	Prepare Notice of Appearance of William Daniel Davis for filing in Southern District of Georgia matter.	0.50	\$225.00	\$112.50
10/27/2023	Jill Connors	Review online docket; Update case contacts for notifications; Calendar upcoming dates and deadlines in case.	0.40	\$225.00	\$90.00
10/27/2023	Cary Ichter	Exchange emails with Ms. Marks regarding scheduling; Exchange emails with team regarding Pro Hac Vice; Exchange emails with Ms. Mixon regarding content of upcoming conference call with the Court.	0.50	\$625.00	\$312.50
10/28/2023	Dimeji Ogunsola	Research basis for obtaining ESI disclosed to state criminal investigators and email Mr. Ichter analysis.	3.10	\$450.00	\$1,395.00
10/29/2023	Cary Ichter	Review email from Mr. Ogunsola regarding research regarding obtaining ESI from GBI or Coffee County; Respond to same.	0.50	\$625.00	\$312.50
10/30/2023	Dimeji Ogunsola	Follow up research regarding obtaining ESI disclosed to state criminal investigators.	2.90	\$450.00	\$1,305.00

10/31/2023	Jill Connors	Telephone call to Brunswick Division regarding recent filing; Review file and update.	0.20	\$225.00	\$45.00
10/31/2023	Jill Connors	Update client file with Text Entry granting C. Ichter's Motion for PHV Admission; Follow up email to Mr. Brown regarding his application; Search docket for list of cases Mr. Brown appeared in; Update list and send to Mr. Brown for approval; Finalize application and prepare for and efile same; Update client file and send copies of file-stamped documents to Mr. Brown.	1.50	\$225.00	\$337.50
10/31/2023	Jill Connors	Forward Court's email to Ms. Marks regarding participation in tomorrow's scheduling conference.	0.10	\$225.00	\$22.50
10/31/2023	Jill Connors	Email team regarding whether Ms. Marks is attending conference tomorrow and potential need to inform the Court.	0.10	\$225.00	\$22.50
11/01/2023	Jill Connors	Update client file with Notices of Appearance of Herzog, Kinsley, and Rowell for CCBOER; Receive email from Court regarding upcoming telephone conference instructions, reply to email and forward relevant information to Ms. Marks.	0.20	\$225.00	\$45.00
11/01/2023	Cary Ichter	Telephone conference with Ms. Marks; Prepare for hearing with Magistrate Judge; Telephone conference with Mr. H. Knapp; Review motion and subpoenas; Review list of material CCBOER is required to retain.	5.00	\$625.00	\$3,125.00
Services Subtotal					\$20,800.00

Expenses

Type	Date	Notes	Quantity	Rate	Total
Expense	10/27/2023	Court fees: Certificate of Good Standing from NDGA for PHV Application for Cary Ichter.	1.00	\$20.00	\$20.00
Expense	10/27/2023	Court fees: Certificate of Good Standing from NDGA for PHV Application for Bruce Brown.	1.00	\$20.00	\$20.00
Expense	10/27/2023	Court fees: Parking fee for visit to NDGA Clerk's office to obtain certificates of good standing in an expedited manner.	1.00	\$2.00	\$2.00
Expense	10/27/2023	Postage	1.00	\$1.26	\$1.26
Expense	10/30/2023	Filing fee: Cert of Admission	1.00	\$40.00	\$40.00
Expense	10/30/2023	Travel expenses: Parking Fee	1.00	\$2.00	\$2.00
Expenses Subtotal					\$85.26
Subtotal					\$20,885.26

Interest

Type	Date	Description	Total
Interest	12/10/2023	Interest on overdue invoice #1808	\$0.11
Interest	01/09/2024	Interest on overdue invoice #1808	\$0.11
Interest	02/08/2024	Interest on overdue invoice #1808	\$0.11

Interest Subtotal **\$0.33**Subtotal **\$20,885.26**Interest **\$0.33**Total **\$20,885.59****Detailed Statement of Account****Other Invoices**

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1083	06/04/2023	\$688.10	\$0.00	\$688.10
2046	01/05/2024	\$28,236.38	\$0.00	\$28,236.38
2403	02/08/2024	\$14,869.45	\$0.00	\$14,869.45
2486	03/06/2024	\$11,653.30	\$0.00	\$11,653.30

Interest On Other Invoices

Original Invoice	Due On	Amount Due	Payments Received	Balance Due
2046	02/05/2024	\$0.50	\$0.00	\$0.50
2046	03/06/2024	\$0.50	\$0.00	\$0.50
2403	03/10/2024	\$0.01	\$0.00	\$0.01

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1808	12/09/2023	\$20,885.59	\$0.00	\$20,885.59
Outstanding Balance				\$76,333.83

Invoice # 1808 - 11/09/2023

Total Amount Outstanding \$76,333.83

Please make all amounts payable to: Ichter Davis LLC

Payment is due within thirty (30) days. Any delinquent amount will accrue interest at the rate of one and one-half percent (1.5%) per month.

Ichter Davis LLC

400 Interstate N. Parkway SE, Suite 860
Atlanta, GA 30339
United States
Phone: 4048697600
EIN: x-3699
Email: ddavis@ichterdavis.com
<https://ichterdavis.com>

INVOICE

Invoice # 1808
Date: 11/09/2023
Due On: 12/09/2023



Pay your invoice online

To pay your invoice, open the camera on your mobile device and place the QR code in the camera's view.

Or, [click here](#) if you're viewing on a computer or smartphone.



Ichter Davis LLC

400 Interstate N. Parkway SE, Suite 860
 Atlanta, GA 30339
 United States
 Phone: 4048697600
 EIN: x-3699
 Email: ddavis@ichterdavis.com
<https://ichterdavis.com>

INVOICE

Invoice # 2046
 Date: 12/06/2023
 Due On: 01/05/2024

Coalition for Good Governance

616-003

Secretary of State; State Elections Board; Coffee County

Services

Date	Attorney	Notes	Quantity	Rate	Total
11/02/2023	Cary Ichter	Exchange emails with Ms. Marks and Mr. Perkins.	0.50	\$625.00	\$312.50
11/03/2023	Cary Ichter	Review and revise emails with Ms. Marks; Prepare email to Mr. Perkins; Review press reports on Coffee County fiasco.	1.00	\$625.00	\$625.00
11/05/2023	Cary Ichter	Review email and revised subpoena from Ms. Marks; Review press release regarding GBI report; Review prep memo for conference call; Conference call with Ms. Marks and Mr. Knapp.	2.50	\$625.00	\$1,562.50
11/06/2023	Jill Connors	Review file for exhibits from Misty Hampton's deposition in Curling matter and send to Mr. Ichter; Update Coffee County file with same for ease of future reference.	0.20	\$225.00	\$45.00
11/06/2023	Jill Connors	Exchange emails with Ms. Marks regarding communication and task assignment logistics.	0.20	\$225.00	\$45.00
11/06/2023	Jill Connors	Exchange emails with Ms. Marks regarding service of Motion to Compel on Curling parties which has been completed.	0.10	\$225.00	\$22.50

11/06/2023	Cary Ichter	Review agenda for meeting with Mr. Perkins; Exchange emails and text messages with Ms. Marks; Attend Teams conference call with Ms. Marks, opposing counsel, and Mr. Knapp.	2.80	\$625.00	\$1,750.00
11/06/2023	Cary Ichter	Review GBI Order and circulate.	0.30	\$625.00	\$187.50
11/07/2023	Cary Ichter	Exchange emails with Ms. Marks and Mr. Perkins regarding effect of Judge Totenberg's GBI Order on Coffee County matter; Exchange additional emails with Mr. Perkins and Ms. Marks regarding Ms. Hampton's laptops.	0.50	\$625.00	\$312.50
11/08/2023	Cary Ichter	Exchange emails with Ms. Marks and Mr. Perkins; Various communications with Ms. Marks regarding status report; Telephone call with Mr. Perkins regarding laptops; Review and revise status report and forward to Mr. Perkins; Review Mr. Sparks changes and send email to Mr. Sparks.	2.50	\$625.00	\$1,562.50
11/09/2023	Jill Connors	Review email from Ms. Marks regarding need for Mr. Perkins to file Notice of Intent to Serve Subpoena; Quick review of relevant rules; Exchange additional emails with Mr. Ichter and team regarding same.	0.40	\$225.00	\$90.00
11/09/2023	Cary Ichter	Exchange emails with court regarding status conference; Exchange emails with Ms. Marks.	0.50	\$625.00	\$312.50
11/10/2023	Cary Ichter	Exchange various emails with Ms. Marks; Prepare multiple emails to Mr. Perkins; Review response from GBI; Forward email regarding same; Email to Mr. Perkins regarding search terms.	1.50	\$625.00	\$937.50
11/11/2023	Cary Ichter	Exchange various emails with Ms. Marks regarding communications with CCBOER; Review emails from Mr. Perkins.	0.30	\$625.00	\$187.50
11/12/2023	Cary Ichter	Exchange emails with Ms. Marks regarding upcoming status conference with Court; Exchange emails with Mr. Knapp; Review exchange between Ms. Marks and Mr. Knapp.	0.50	\$625.00	\$312.50
11/13/2023	Jill Connors	Review and exchange multiple emails and text messages with Ms. Marks and Mr. Ichter in preparation for status conference mid-week; Telephone call with Ms. Marks regarding planning for and attendance at same.	0.60	\$225.00	\$135.00
11/13/2023	Cary Ichter	Review various communications with Ms. Marks and between Ms. Marks and Mr. Perkins regarding the Northern District of Georgia Summary Judgment Order and GBI response.	0.50	\$625.00	\$312.50
11/14/2023	Jill Connors	Participate in telephone conference with Ms. Marks, Mr. Ichter, and Mr. Sparks in preparation for upcoming status conference with the Court; Review and clean up notes taken and save to file.	1.00	\$225.00	\$225.00
11/14/2023	Cary Ichter	Teams conference call with Ms. Marks and Mr. Sparks to prepare for status conference tomorrow.	0.80	\$625.00	\$500.00
11/15/2023	Jill Connors	Participate as listener in SDGA Status Conference and take	1.60	\$225.00	\$360.00

		notes; Review and organize notes following call; Distribute notes to team; Calendar follow up date regarding GBI desktop image production for Mr. Ichter.			
11/15/2023	Cary Ichter	Exchange text messages with Ms. Marks; Prepare for status conference with Court; Appear at status conference; Prepare email to Mr. Perkins regarding declarations of Coffee County personnel; Prepare email to Ms. Mixon regarding November 17 status conference.	3.00	\$625.00	\$1,875.00
11/16/2023	Cary Ichter	Various email exchanges with Ms. Marks; Prepare various emails to Mr. Perkins; Conference with Ms. Connors.	1.50	\$625.00	\$937.50
11/17/2023	Cary Ichter	Various communications with Ms. Marks and Mr. Perkins and Mr. Knapp; Teams conference with Mr. Perkins, Ms. Marks, and Mr. Knapp; Prepare for hearing with the court regarding Motion to Compel; Attend hearing; Various communications with Ms. Marks following hearing.	3.30	\$625.00	\$2,062.50
11/19/2023	Cary Ichter	Exchange various emails with Ms. Marks and Mr. Brown; Prepare email to Mr. Perkins.	0.50	\$625.00	\$312.50
11/20/2023	Cary Ichter	Review and exchange various emails regarding production of desktop ESI to Mr. Perkins; Exchange emails with Ms. Marks regarding status report to court; Exchange emails with Mr. Perkins regarding getting image from GBI; Telephone call with Ms. Marks; Review and exchange multiple emails regarding PII.	1.80	\$625.00	\$1,125.00
11/20/2023	Jill Connors	Respond to email from Ms. Marks with status conference call-in information.	0.10	\$225.00	\$22.50
11/21/2023	Cary Ichter	Telephone call with Ms. Marks; Review and revise Status Report; Email to Mr. Knapp and Ms. Sparks; Review Mr. Sparks' revisions and forward report to Mr. Perkins for Defendant's contributions; Review and exchange various emails with Mr. Perkins.	2.80	\$625.00	\$1,750.00
11/21/2023	Jill Connors	Distribute call-in instructions for court status conference participants.	0.10	\$225.00	\$22.50
11/21/2023	Jill Connors	Exchange various emails with Ms. Platt regarding changes to Hookah supplier.	0.30	\$225.00	\$67.50
11/22/2023	Jill Connors	Review email from Mr. Ichter to opposing counsel regarding filing of status report; Efile status report.	0.20	\$225.00	\$45.00
11/22/2023	Cary Ichter	Exchange emails with Ms. Marks and Mr. Perkins; Exchange emails with Mr. Skoglund; Finalize status report and serve same on Court; Prepare for hearing with Ms. Marks; Participate in conference call hearing with Judge Cheesbro.	3.50	\$625.00	\$2,187.50
11/24/2023	Cary Ichter	Exchange various emails with Ms. Marks regarding search terms and briefing schedule.	0.50	\$625.00	\$312.50
11/26/2023	Cary Ichter	Exchange emails with Mr. Brown, Mr. Cross, and Ms. Marks regarding settlement, strategy, and research.	0.50	\$625.00	\$312.50

11/27/2023	Jill Connors	Review and organize emails exchanged during Thanksgiving holiday; Update client folder with new pleadings filed and with important email exchanges for attorney review; Download documents produced by Coffee County.	0.70	\$225.00	\$157.50
11/28/2023	Jill Connors	Email Mr. Ichter regarding signature lines for Notice of Filing Exhibits (inadvertently omitted from Status Report previously filed); Receive response; Prepare Notice of Filing Exhibits, along with the exhibits and efile same; Update client file.	0.60	\$225.00	\$135.00
11/28/2023	Cary Ichter	Review emails from Ms. Marks and Mr. Sparks regarding time period covered by subpoena; Exchange emails with Mr. Rahn; Review Court Order scheduling briefing on elements of motion to compel.	1.00	\$625.00	\$625.00
11/29/2023	Jill Connors	Review new filings received from court and update client file; Calendar Reply due date with reminders.	0.20	\$225.00	\$45.00
11/29/2023	Cary Ichter	Review emails from opposing counsel and Ms. Marks.	0.30	\$625.00	\$187.50
11/30/2023	Jill Connors	Check case docket online; Email docket to Ms. Marks; Share Dropbox file of pleadings with Ms. Marks to ensure client receipt of all new filings; Update efile portal to make Ms. Marks a recipient of all filings in CCBOER case.	0.40	\$225.00	\$90.00
11/30/2023	Cary Ichter	Exchange emails with Ms. Marks; Prepare email to Ms. Mixon regarding email to court regarding status; Review CCBOER brief on privilege log issue.	0.80	\$625.00	\$500.00
12/01/2023	Jill Connors	Incorporate edits and redlines of Ms. Marks and Mr. Ichter into working draft of Status Report on Email Search; Proofread to ensure all edits have been properly made; Prepare slip sheets for Exhibits 1-8; Telephone call with Ms. Marks; Exchange text messages and emails with Ms. Marks and Mr. Ichter; Finalize Status Report and compile exhibits; Prepare email to Court and transmit final Status Report to Ms. Mixon.	1.30	\$225.00	\$292.50
12/01/2023	Cary Ichter	Review and revise status report; Review exhibits; Prepare email to Ms. Mixon; Exchange emails and text messages with Ms. Connors and Ms. Marks.	3.50	\$625.00	\$2,187.50
12/03/2023	Cary Ichter	Prepare reply to response to Motion to Compel regarding privilege log.	3.80	\$625.00	\$2,375.00
12/04/2023	Jill Connors	Attention to redaction of exhibits to Status Report on Email Searches; Update Certificate of Service; Email to Mr. Ichter explaining redactions and edit made to the Status Report; Exchange additional emails with Mr. Ichter and Ms. Marks; Finalize and efile Status Report; Send email to Ms. Mixon and counsel of record; Proofread draft Reply to Response re Privilege Log and distribute updated draft of same.	1.50	\$225.00	\$337.50
12/04/2023	Jill Connors	Review my notes from 11/15/23 Conference with the Court; Review date Defendant's submitted Response Brief regarding Privilege Log; Calendar Reply date per my notes of Court's	0.30	\$225.00	\$67.50

directives; Text message to Ms. Marks regarding same.

Services Subtotal \$27,830.00

Expenses

Type	Date	Notes	Quantity	Rate	Total
Expense	11/30/2023	Court Costs: Court Costs	1.00	\$200.00	\$200.00
Expense	11/30/2023	Court Costs: Court Costs	1.00	\$200.00	\$200.00
Expense	12/05/2023	Westlaw: Westlaw	1.00	\$6.38	\$6.38
Expenses Subtotal					\$406.38
Subtotal					\$28,236.38

Interest

Type	Date	Description	Total
Interest	01/06/2024	Interest on overdue invoice #2046	\$0.50
Interest	02/05/2024	Interest on overdue invoice #2046	\$0.50
Interest Subtotal			\$1.00
Subtotal			\$28,236.38
Interest			\$1.00
Total			\$28,237.38

Detailed Statement of Account

Other Invoices

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1083	06/04/2023	\$688.10	\$0.00	\$688.10
1808	12/09/2023	\$20,885.26	\$0.00	\$20,885.26
2403	02/08/2024	\$14,869.45	\$0.00	\$14,869.45

2486	03/06/2024	\$11,653.30	\$0.00	\$11,653.30
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Interest On Other Invoices

Original Invoice	Due On	Amount Due	Payments Received	Balance Due
1808	01/09/2024	\$0.11	\$0.00	\$0.11
1808	02/08/2024	\$0.11	\$0.00	\$0.11
1808	03/09/2024	\$0.11	\$0.00	\$0.11
2403	03/10/2024	\$0.01	\$0.00	\$0.01

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
2046	01/05/2024	\$28,237.38	\$0.00	\$28,237.38

Outstanding Balance **\$76,333.83**
Total Amount Outstanding **\$76,333.83**

Please make all amounts payable to: Ichter Davis LLC

Payment is due within thirty (30) days. Any delinquent amount will accrue interest at the rate of one and one-half percent (1.5%) per month.

Ichter Davis LLC

400 Interstate N. Parkway SE, Suite 860
Atlanta, GA 30339
United States
Phone: 4048697600
EIN: x-3699
Email: ddavis@ichterdavis.com
<https://ichterdavis.com>

INVOICE

Invoice # 2046
Date: 12/06/2023
Due On: 01/05/2024



Pay your invoice online

To pay your invoice, open the camera on your mobile device and place the QR code in the camera's view.

Or, [click here](#) if you're viewing on a computer or smartphone.



Ichter Davis LLC

400 Interstate N. Parkway SE, Suite 860
 Atlanta, GA 30339
 United States
 Phone: 4048697600
 EIN: x-3699
 Email: ddavis@ichterdavis.com
<https://ichterdavis.com>

INVOICE

Invoice # 2403
 Date: 01/09/2024
 Due On: 02/08/2024

Coalition for Good Governance

616-003

Secretary of State; State Elections Board; Coffee County

Services

Date	Attorney	Notes	Quantity	Rate	Total
11/06/2023	Cary Ichter	Review GBI order and circulate.	0.30	\$625.00	\$187.50
12/04/2023	Cary Ichter	Review and revise Reply regarding Privilege Log Issue; Exchange various emails with Ms. Marks.	2.00	\$625.00	\$1,250.00
12/05/2023	Jill Connors	Exchange emails regarding possible emergency motion and tasks needing my attention.	0.20	\$225.00	\$45.00
12/05/2023	Cary Ichter	Review comments on Reply brief regarding privilege log; Circulate revised version of brief.	3.00	\$625.00	\$1,875.00
12/06/2023	Jill Connors	Exchange emails with Ms. Marks; Review exhibits for redaction; Review draft brief and compare with proposed exhibits to ensure correct; Redact exhibits as necessary and prepare final exhibits C-L with slip sheets; Additional email and text exchanges with Ms. Marks and Mr. Ichter regarding finalization of Reply Brief; Review emails from Curling counsel regarding whether they will join in as signatories to the Reply Brief; Finalize Reply Brief and additional exhibits and efile same; Email copy of file-stamped brief to Ms.	2.50	\$225.00	\$562.50

		Marks.			
12/06/2023	Cary Ichter	Receive input from co-counsel on Reply brief; Review and revise modifications to Reply from Ms. Marks; Various communications with Ms. Connors regarding Reply.	3.00	\$625.00	\$1,875.00
12/07/2023	Jill Connors	Exchange emails with Ms. Marks and Mr. Ichter; Update client file with Response Brief regarding Third Parties and Respons Brief regarding Silver Laptop; Send copies of same to client; Print copies of same for Mr. Ichter's review and use in preparing Reply; Review Court's prior orders to determine due date for Reply briefs; Calendar Reply brief due dates.	1.00	\$225.00	\$225.00
12/07/2023	Jill Connors	Prepare draft Request for Hearing and Draft Rule Nisi; Send to Mr. Hawkins for review; Finalize same and e-file and serve on opposing counsel; Review email from Mr. Butler in response.	0.60	\$225.00	\$135.00
12/07/2023	Cary Ichter	Various communications with Mr. Perkins, Ms. Marks and Mr. Brown.	1.50	\$625.00	\$937.50
12/08/2023	Jill Connors	Organize file with Court status conference-related documents; Exchange messages with Ms. Conway regarding upcoming submission by Curling Plaintiff.	0.70	\$225.00	\$157.50
12/08/2023	Jill Connors	Misc. office related activities such as ordering new monitor for C. Ichter's computer; Recieve supply order and replenish soft drinks and organize office; Returns for C. Ichter.	1.40	\$225.00	\$315.00
12/08/2023	Cary Ichter	Exchange emails with Ms. Marks, Mr. Knapp, and Mr. Sparks; Review emails between Ms. Marks and Mr. Perkins.	0.80	\$625.00	\$500.00
12/10/2023	Cary Ichter	Review and revise first draft of Reply on Laptop issue.	3.80	\$625.00	\$2,375.00
12/11/2023	Jill Connors	Review local rules regarding page limits and font; Email to Plaintiffs' attorney team.	0.40	\$225.00	\$90.00
12/13/2023	Jill Connors	Proofread, prepare exhibits and slip sheets, finalize and e-file Reply Brief regarding Silver Laptop; Proofread, prepare exhibits and slip sheets, finalize and e-file Reply Brief regarding Documents in Possession of Third Parties; Send copies of file-stamped documents to Ms. Marks; Serve copies of filed documents on opposing counsel via e-mail; Update client file with file-stamped documents and rename for file organizational purposes.	2.60	\$225.00	\$585.00
12/13/2023	Cary Ichter	Review and revise laptop brief; Text messages to Ms. Connors regarding filing; Email to Ms. Marks regarding status; Finalize laptop brief.	1.30	\$625.00	\$812.50
12/13/2023	Jill Connors	Update file with additional filings received.	0.10	\$225.00	\$22.50
12/14/2023	Jill Connors	Receive Clerk's notice regarding signature line; Email to counsel team; Telephone call to Ms. Mixon and receive additional call in response; Email to team regarding no changes needed.	0.30	\$225.00	\$67.50
12/14/2023	Cary Ichter	Review exchange of emails regarding filing of briefs.	0.50	\$625.00	\$312.50

12/18/2023	Jill Connors	Review federal rules and local rules regarding Sur-Replies and report back to team; Check Court's Standing Order as well regarding same.	0.50	\$225.00	\$112.50
12/19/2023	Cary Ichter	Review filing of notice of intent to file brief; Exchange emails and telephone conference with firm team and Ms. Marks.	0.50	\$625.00	\$312.50
12/21/2023	Jill Connors	Telephone call (x2) to Ms. Mixon in Judge Chesebro's chambers regarding Court's stance on Sur-Replies; Additional review of local rules; Email to team.	0.50	\$225.00	\$112.50
12/21/2023	Cary Ichter	Review Notice of Intent to File Sur Reply for two issues and Sur Reply on privilege log issue.	0.80	\$625.00	\$500.00
12/24/2023	Jill Connors	Calendar upcoming due dates for Plaintiffs' Response and Defendant's Reply.	0.20	\$225.00	\$45.00
12/25/2023	Cary Ichter	Exchange emails with Ms. Marks; Review Court Order.	1.30	\$625.00	\$812.50
12/26/2023	Cary Ichter	Exchange of emails with Ms. Marks regarding sanctions motion; Email to Mr. Perkins regarding extension of time.	0.50	\$625.00	\$312.50
12/29/2023	Jill Connors	Review recent filings for 11th Circuit cases to confirm all have been saved to client file (from 12.21.23 through present); Update client files for attorney review.	0.50	\$225.00	\$112.50
12/29/2023	Cary Ichter	Exchange emails with Ms. Marks.	0.30	\$625.00	\$187.50
01/04/2024	Jill Connors	Update client file with Coffee County's updated privilege log; Review exchange of emails regarding same.	0.10	\$225.00	\$22.50
				Services Subtotal	\$14,860.00

Expenses

Type	Date	Notes	Quantity	Rate	Total
Expense	12/06/2023	Photocopies	63.00	\$0.15	\$9.45
				Expenses Subtotal	\$9.45
				Subtotal	\$14,869.45

Interest

Type	Date	Description	Total
Interest	02/09/2024	Interest on overdue invoice #2403	\$0.01
Interest Subtotal			\$0.01

Subtotal	\$14,869.45
Interest	\$0.01
Total	\$14,869.46

Detailed Statement of Account

Other Invoices

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1083	06/04/2023	\$688.10	\$0.00	\$688.10
1808	12/09/2023	\$20,885.26	\$0.00	\$20,885.26
2046	01/05/2024	\$28,236.38	\$0.00	\$28,236.38
2486	03/06/2024	\$11,653.30	\$0.00	\$11,653.30

Interest On Other Invoices

Original Invoice	Due On	Amount Due	Payments Received	Balance Due
1808	01/09/2024	\$0.11	\$0.00	\$0.11
2046	02/05/2024	\$0.50	\$0.00	\$0.50
1808	02/08/2024	\$0.11	\$0.00	\$0.11
2046	03/06/2024	\$0.50	\$0.00	\$0.50
1808	03/09/2024	\$0.11	\$0.00	\$0.11

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
2403	02/08/2024	\$14,869.46	\$0.00	\$14,869.46
Outstanding Balance				\$76,333.83
Total Amount Outstanding				\$76,333.83

Please make all amounts payable to: Ichter Davis LLC

Payment is due within thirty (30) days. Any delinquent amount will accrue interest at the rate of one and one-half percent (1.5%) per month.

Ichter Davis LLC

400 Interstate N. Parkway SE, Suite 860
Atlanta, GA 30339
United States
Phone: 4048697600
EIN: x-3699
Email: ddavis@ichterdavis.com
<https://ichterdavis.com>

INVOICE

Invoice # 2403
Date: 01/09/2024
Due On: 02/08/2024



Pay your invoice online

To pay your invoice, open the camera on your mobile device and place the QR code in the camera's view.

Or, [click here](#) if you're viewing on a computer or smartphone.



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INVOICE

Invoice # 2486
 Date: 02/05/2024
 Due On: 03/06/2024

Coalition for Good Governance

616-003

Secretary of State; State Elections Board; Coffee County

Services

Date	Attorney	Notes	Quantity	Rate	Total
01/05/2024	Cary Ichter	Exchange emails with Ms. Marks regarding privilege log; Review summary of log.	0.50	\$625.00	\$312.50
01/07/2024	Cary Ichter	Review privilege log; Prepare email to Mr. Perkins regarding issues with privilege log.	2.50	\$625.00	\$1,562.50
01/08/2024	Cary Ichter	Exchange text messages with Ms. Marks; Finalize email to Mr. Perkins regarding privilege issues; Prepare motion for extension of time to file sanctions Motion; Take comments and finalize same.	3.80	\$625.00	\$2,375.00
01/09/2024	Jill Connors	Prepare exhibits to Motion for Extension; Edit signature lines and send to Ms. Marks for final approval; Exchange numerous communications regarding whether Motion should be filed as Plaintiffs' Joint Motion or just a motion of Plaintiff Coalition for Good Governance; Email to Mr. Knapp regarding same requesting confirmation.	1.20	\$225.00	\$270.00
01/09/2024	Cary Ichter	Exchange various emails regarding filing final version of motion; Exchange emails with Mr. Knapp and Ms. Marks.	0.50	\$625.00	\$312.50

01/11/2024	Jill Connors	Receive production from CCBOER and update client file with documents and transmission email explaining same.	0.20	\$225.00	\$45.00
01/11/2024	Cary Ichter	Complete email to Mr. Perkins regarding Coffee County revised privilege log; Email to Ms. Marks regarding same.	1.00	\$625.00	\$625.00
01/12/2024	Cary Ichter	Exchange emails with Mr. Perkins regarding privilege issues.	0.50	\$625.00	\$312.50
01/18/2024	Cary Ichter	Review email from Mr. Perkins; Review new privilege log; Prepare email to Mr. Perkins regarding same; Exchange email with Ms. Connors regarding Reply Brief; Review Court Order extending time; Prepare email to Ms. Connors and Ms. Marks.	1.00	\$625.00	\$625.00
01/18/2024	Jill Connors	Update client file with recent pleadings filed; Review local rules regarding submission of reply briefs; Email to attorney team to remind them of the rules.	0.50	\$225.00	\$112.50
01/18/2024	Jill Connors	Prepare Notice of Intent to File Reply Brief; Exchange emails regarding permission to sign for Mr. Knapp; Efile Notice.	0.50	\$225.00	\$112.50
01/18/2024	Jill Connors	Receive Order regarding extension of time; Calendar revised dates with reminders.	0.20	\$225.00	\$45.00
01/19/2024	Jill Connors	Prepare Dropbox folder of all documents produced by CCBOER; Send link to Ms. Marks.	0.30	\$225.00	\$67.50
01/21/2024	Cary Ichter	Exchange emails with Ms. Marks, Mr. Knapp, and Mr. Sparks; Review emails from Mr. Perkins to see what challenged claims of privilege have not been dropped.	0.80	\$625.00	\$500.00
01/22/2024	Jill Connors	Proofread, edit, and finalize Motion for Further Extension; Efile same and update client file.	0.60	\$225.00	\$135.00
01/22/2024	Jill Connors	Receive Defendant's Response to Request for Further Extension and update client file with same.	0.10	\$225.00	\$22.50
01/22/2024	Cary Ichter	Exchange emails with Ms. Marks and Mr. Maguire; Prepare motion for extension of time to object to privilege designations.	1.30	\$625.00	\$812.50
01/23/2024	Cary Ichter	Review Coffee County Response to Motion for Further Extension of Time; Email to Ms. Connors regarding reply notice.	0.30	\$625.00	\$187.50
01/26/2024	Jill Connors	Receive and review Doc. 50 regarding extension of time; Adjust calendar to reflect extension and distribute; Update client file.	0.20	\$225.00	\$45.00
01/26/2024	Cary Ichter	Review Court's Order; Transmit same to client; Exchange emails with Mr. Knapp.	0.50	\$625.00	\$312.50
01/28/2024	Cary Ichter	Various communications with Ms. Marks regarding privilege issue.	0.30	\$625.00	\$187.50
01/29/2024	Jill Connors	Proofread, edit and finalize Motion for In Camera Inspection; Exchange multiple emails with Ms. Marks and Mr. Ichter;	1.10	\$225.00	\$247.50

		Prepare Exhibit A; Efile; Send courtesy copy to Mr. Perkins; Review follow up emails sent between counsel.			
01/29/2024	Cary Ichter	Prepare and exchange multiple emails to Mr. Perkins; Exchange multiple emails with Ms. Marks; Prepare motion for in camera review; Finalize same; Research privilege and waiver of same.	3.80	\$625.00	\$2,375.00
01/30/2024	Jill Connors	Update client file with pleadings received.	0.10	\$225.00	\$22.50
				Services Subtotal	\$11,625.00

Expenses

Type	Date	Notes	Quantity	Rate	Total
Expense	01/11/2024	PACER: Pacer Q4 23.	1.00	\$28.30	\$28.30
				Expenses Subtotal	\$28.30
				Subtotal	\$11,653.30
				Total	\$11,653.30

Detailed Statement of Account**Other Invoices**

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
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Interest On Other Invoices

Original Invoice	Due On	Amount Due	Payments Received	Balance Due
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2046	02/05/2024	\$0.50	\$0.00	\$0.50
1808	02/08/2024	\$0.11	\$0.00	\$0.11
2046	03/06/2024	\$0.50	\$0.00	\$0.50

1808	03/09/2024	\$0.11	\$0.00	\$0.11
2403	03/10/2024	\$0.01	\$0.00	\$0.01

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
2486	03/06/2024	\$11,653.30	\$0.00	\$11,653.30
Outstanding Balance				\$76,333.83
Total Amount Outstanding				\$76,333.83

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INVOICE

Invoice # 2486
Date: 02/05/2024
Due On: 03/06/2024



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